

LEGAL NOTICE

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Tuesday, March __, 2013, at 6:00 p.m. in the Mastic Beach Fire Department Headquarters, _____, Mastic Beach, New York, by the Village Board of the Incorporated Village of Mastic Beach **TO AMEND SECTION 380-4-A OF CHAPTER 380 OF THE VILLAGE CODE TO CREATE AN AFFIRMATIVE DEFENSE FOR RENTING TO IMMEDIATE FAMILY WITHOUT A PERMIT**, a copy of which proposed local law is on file at the Office of the Village Clerk.

At said Public Hearing any person interested will be given the opportunity to be heard.

Virgilia Gross
Village Clerk

Dated: March __, 2013

**AMENDMENT OF SECTION 380-4-A OF CHAPTER 380 OF THE VILLAGE CODE
TO CREATE AN AFFIRMATIVE DEFENSE FOR RENTING TO IMMEDIATE
FAMILY WITHOUT A PERMIT**

Be it enacted by the Village Board of the Incorporated Village of Mastic Beach:

The Code of the Incorporated Village of Mastic Beach, County of Suffolk, New York, is amended by:

Amending Section 380-4-A of Chapter 380 of the Village Code which shall read as follows:

[New Language]

[Language to be Deleted]

§380-4 Rental occupancy permit required; application.

A. It shall be unlawful and a violation of this article and an offense within the meaning of the Penal Law of the State of New York for any person or entity who owns or rents a dwelling unit in the Village of Mastic Beach to use, establish, maintain, operate, let, lease, sublease, rent or suffer or permit the occupancy and use thereof as a rental occupancy ~~by someone other than the owner or his immediate family~~ without first having obtained a valid rental occupancy permit therefor. Failure or refusal to procure a rental occupancy permit hereunder shall be deemed a violation.

1. It shall be an affirmative defense to a violation of Subsection A of this section that the rental occupant or occupants is/are immediate family members of the owner of the subject premises, as defined in this chapter.

This Local Law shall take effect immediately.

Aye Nay

Aye Nay

____ ____ Mayor Biondi

____ ____ Trustee Morrow

____ ____ Trustee Bissonette

____ ____ Trustee Stiriz

____ ____ Trustee Cappiello

Dated: February __, 2013

Virgilia C. Gross - Village Clerk

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~

~~City~~

of **The Incorporated Village of Mastic Beach**

~~Town~~

Village

Local Law No. ____ of the year 2013.

A LOCAL LAW OF THE VILLAGE OF MASTIC BEACH

The Amended Section 380-4-A of Chapter 380 of the Village Code which shall read as follows:

§380-4 Rental occupancy permit required; application.

A. It shall be unlawful and a violation of this article and an offense within the meaning of the Penal Law of the State of New York for any person or entity who owns or rents a dwelling unit in the Village of Mastic Beach to use, establish, maintain, operate, let, lease, sublease, rent or suffer or permit the occupancy and use thereof as a rental occupancy without first having obtained a valid rental occupancy permit therefor. Failure or refusal to procure a rental occupancy permit hereunder shall be deemed a violation.

1. It shall be an affirmative defense to a violation of Subsection A of this section that the rental occupant or occupants is/are immediate family members of the owner of the subject premises, as defined in this chapter.

Effective Date:

This Local Law shall take effect immediately.

I hereby certify that the local law annexed hereto, designated as Local Law No. ____ of 2013 of the Incorporated Village of Mastic Beach was duly passed by the Village Board on _____ 2013 in accordance with applicable provisions of law.

Virgilia Gross - Village Clerk

Dated: _____, 2013

STATE OF NEW YORK)
) ss:
COUNTY OF SUFFOLK)

Dated: _____, 2013

Signature: Brian T. Egan
Title: Village Attorney
Incorporated Village of Mastic Beach